

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WILLIAM FRANCIS, JR. )

Plaintiff, )

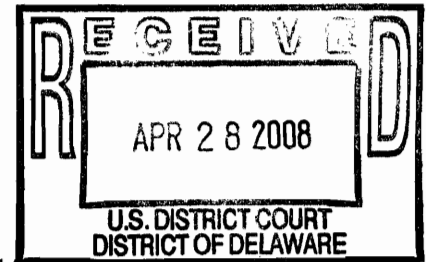
v. )

WARDEN THOMAS CARROLL, )  
CORRECTIONAL MEDICAL SERVICES )  
STAN TAYLOR, and JOYCE TALLEY, )

Defendants. )

C.A. No. 07-015-JJF

TRIAL BY JURY OF  
TWELVE DEMANDED



**PLAINTIFF'S SUPPLEMENTAL MOTION TO COMPEL**

COMES NOW, the Plaintiff William Francis, Jr., pro se, and hereby moves this Honorable Court to supplement Plaintiff's Motion to Compel filed with the Court on 4/7/2008 and on the State Defendants on 4/4/2008. In support of this Supplemental Motion, Plaintiff offers the following:

1. On or about April 4, 2008, counsel for State Defendants received Plaintiff's Motion to Compel Answers to Interrogatories.
2. On or about April 9, 2008, forty-four (44) days after filing the first set of interrogatories on State Defendants, Plaintiff received State Defendants answers to Plaintiff's interrogatories. Counsel for State Defendants is an attorney and, as such, is well aware that she should have filed the answers to Plaintiff's interrogatories no more than thirty (30) days after receipt of Plaintiff's interrogatories.
3. Plaintiff believes that Counsel for State Defendants was prompted to answer only after she received Plaintiff's Motion to Compel, and appears to have sought to delay Plaintiff's efforts to prepare his case for trial.

4. The fact that State Defendant Taylor is retired from state employment, and State Defendant Carroll is no longer the Warden at the Delaware Correctional Center, does not make them immune from Plaintiff's civil action because the alleged violations occurred during the course of their employment as DOC Commissioner and Warden of DCC, respectively.

5. State Defendants, by and through undersigned counsel, have offered insufficient or inadequate responses to relevant discovery requests, with respect to the documents requested by Plaintiff in his first set of interrogatories. Such documents are not equally available to Plaintiff, as he is an inmate in a state prison without the means and access to obtain the requested documents needed to prosecute his case (i.e., phone book; direct telephone, internet, e-mail and fax).

6. At trial, the requested documents would inevitably be discovered, produced and entered into the record when counsel is appointed for the Plaintiff by this Honorable Court. It appears from opposing counsel's objections that State Defendants have evidence to hide or withhold that would strengthen Plaintiff's case.

WHEREFORE, for the hereinabove reasons, Plaintiff William Francis, Jr. respectfully requests that this Honorable Court enter an ORDER directing opposing counsel and the Defendants to produce the documents referred to in Plaintiff's First Set of Interrogatories.

Dated: April 25, 2008  
April 25, 2008

By: William Francis, Jr.  
William Francis, Jr., *pro se*  
Delaware Correctional Center  
SBI# 264560

Certificate of Service

I, William Francis, Jr., hereby certify that I have served a true  
And correct cop(ies) of the attached: Plaintiff's Supplemental  
Motion to Compel upon the following  
parties/person (s):

TO: Ophelia M. Waters  
Deputy Attorney General  
820 N. French Street, 6<sup>th</sup> Fl.  
Wilmington, DE 19801

TO: Megan T. Mantzavinos  
913 Market Street, #800  
Wilmington, DE 19801

TO: \_\_\_\_\_  
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TO: \_\_\_\_\_  
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BY PLACING SAME IN A SEALED ENVELOPE, and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 25<sup>th</sup> day of April, 2008

William Francis, Jr.

IM *William Francis, Jr.*  
SBI# *84560* UNIT *W-D-22*  
*Francis*  
DELAWARE CORRECTIONAL CENTER  
1184 ~~6~~ DADDOCK ROAD  
SMYRNA, DELAWARE 19977

*Office of the Clerk*  
*U.S. District Court*  
*844 N. King Street, Lockbox 18*  
*Wilmington, DE*  
*19801-3570*

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